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**SILENCE, HURT AND CHOICE:
ATTITUDUES TO PROSTITUTION IN INDIA
AND THE WEST**

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Silence, Hurt and Choice: Attitudes to Prostitution in India & the West

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“Why, in the first place, is it so difficult to talk about sexuality and why is it so necessary to do it all the same...In India, the need to discuss sexuality seems to emerge much more as a tail piece to the discussion of fertility and fertility control.”¹

Introduction

Prostitution has been a somewhat tangled issue for feminists in India and the West. The issue of prostitution brings to the fore many of the contradictions in feminist politics, and the ambivalence in dealing with issues of sexuality. Before entering into feminist rhetoric, it is useful to define prostitution. In official discourse, as in a common sense understanding of the term, the term prostitute is a descriptive term that serves as an adjective for any sexually transgressive woman. Prostitutes are therefore seen as sexual beings representing uncontrolled sexuality. By extension, prostitution is understood essentially as a sexual act involving women. Prostitute rights groups in India and elsewhere have, however argued that prostitution, defined as the exchange of sexual favours between partners within a relationship for money, is just one of the various ways of expressing and carrying out human sexuality.²

Prostitution can be a subversive activity. It challenges the identification of sex acts primarily with desire, and in the Indian context with procreation and the family. Further, it disputes the validity of the worldview that poses an opposition between eroticism and economic life.³ The inherent subversive potential threatens the mainstream interpretation of the world. Hence, prostitutes are subjected to control, surveillance and a salacious gaze in law and legal analysis.

In the Indian context, there is no single feminist response to the issue of prostitution. This is not a complete or comprehensive literature survey. My purpose is to point to some trends within

¹ Gabrielle Dietrich, *Reflections on the Women's Movement. Religion, Ecology, Development*, Horizon India Books New Delhi. 1992.

² See for example, Committee for Civil Rights of Prostitutes, *For the Hearing Before the National Parliamentary Social Affairs Commission of the Italian Parliament*, Italy, 26 January 1999. Available at

<http://www.med.ic.ac.uk/df/dfhm/europap/tampep/memo.htm>. The statement by the Calcutta based Durbar Mahila Samanwaya Committee, *Sex Workers Manifesto*, presented at the Sex Workers Conference, October 1997 makes a similar claim.

³ I owe a part of this insight to an excellent article by Noah D Zatz, *Sex Work/Sex Act: Law, Labor and Desire in Constructions of*

feminist analysis on prostitution. I understand feminists to include sex workers unions that play a vital part of the debate, and NGO activists who share a critique of patriarchy and women's oppression. It is important to point out that 'mainstream' feminisms do not always see women in prostitution as being feminist.⁴ One could postulate that while the Indian feminist movements have raised issues of class and caste, they have been done so in the context of violence against women. Besides, class and caste differentials have been acknowledged in the context of emphasising the solidarity and 'shared' experience – of gender based violence – of all women.

However, prostitute rights groups in India have implicitly questioned the right of 'mainstream' feminism to speak on their behalf. Organisations like Veshya Aids Muklabla Parishad Sanghli (VAMPS) and Durbar Mahila Samanwaya Committee (DMSC) in India aim to emphasise on – and thus recast the identity of women in prostitution from their own perceptions and experiences. Identity is therefore in the words of anthropologist Henrietta Moore, 'both constructed and lived'. Resistance and complicity are present in varying measures in these constructions.⁵

There are essentially at least three ways in which Indian feminists have addressed the issue of prostitution – silence, as hurt and violence, and as potential choice and liberation. I suggest that all these perspectives are limited in that they do not necessarily take in the wide range of experiences that women in prostitution encounter. And in different ways, they may well feed into mainstream patriarchal views on prostitution.

Shannon Bell suggests that ideological feminisms – and she includes liberal, socialist and radical feminist positions on prostitution – are 'modernist' in that they analyse the prostitute and the 'prostitute body' without reference to the experience of prostitutes. Prostitution is therefore constructed as hurt or oppression in the case of radical feminists or as liberation in the case of liberal feminists. Within these analyses, "there is no space for the prostitute herself, particularly if her speech may contradict the feminist construction of her body."⁶

Prostitution. *Signs: Journal of Women in Culture and Society*. Winter 1997. Volume 22. Number 2: 227- 308, esp.: 227.

4 By mainstream feminisms, I refer to women's organisations and feminist organisations in India that have focused on issues of violence against women in the 1980s and 1990s. These include – women's wings of left wing political parties like the Communist Party of India (Marxist) and self defined autonomous women's organisations such as the Forum Against Oppression of Women, Bombay. For an excellent analysis of the women's movement in India, see Nandita Gandhi and Nandita Shah, *The Issues at Stake. Theory and Practice in the Contemporary Women's Movement in India*. Kali for Women. New Delhi. 1989.

5 See Henrietta L. Moore, *A Passion for Difference. Essays in Anthropology and Gender*. Polity Press. Cambridge. 1994, esp.: 48-51.

6 Shanon Bell, *Reading, Writing and rewriting the Prostitute Body*. Indiana University Press. Bloomington and Indianapolis. 1994: 73-4.

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Within prostitutes speech itself, however, there is a dichotomy. On the one hand are those sex workers and activists who draw on the experiences of hurt, anguish, violence and coercion that form a part of their lives. These would include, in the Indian context, representatives of organisations like the Calcutta based Sanlaap and Bombay based Prerana. On the other hand, prostitute rights groups, such as the DMSC and the VAMPS suggest that prostitution should be seen as work. It is important to retrieve the moments of strength and pleasure that are important parts of the lives of prostitutes. In both cases, prostitutes' speech defines their experience – and it may or may not feed in to what Bell calls 'modernist' constructions of prostitution.

The first section of this paper deals with feminist silence around the issue of prostitution in the 1980s. The second section analyses the rhetoric of hurt and oppression that has influenced feminist organisations and NGOs in their perspective on prostitution. The final section looks at prostitute right's organisations that seek to create an alternative to these analyses. In this paper, I offer a critique of feminist perceptions of prostitution in India and suggest that these need to be recast so that the experiences of women and men in the profession are reflected.

Section I

Silence and embarrassment? Feminist responses to prostitution and issues of sexuality

Within the Indian Women's Movements (IWM), the focus on legal rights and violence against women has contributed to a view of sexuality that is narrow, and somewhat rigid. In the 1980s, the IWM mostly initiated campaigns to amend laws on violence against women on issues such as: sexual assault, sexual harassment, domestic violence and battering, dowry-related violence, female infanticide and sex determination, pornography. Sexuality therefore is an adjunct to discussions on rape, adultery or violence, but is rarely seen as the flowering of a woman's identity.

Another important aspect of feminist mobilisation is that there is often generalisation on the basis of somewhat limited experience. For instance, in the context of domestic violence, the IWM has worked on issues that have dealt primarily with the experiences of middle class married women. Therefore, experiences of women outside these are rarely, if ever, tackled. These experiences, important in themselves, have been homogenised to represent all women. Even where the experiences of non middle class women have been integrated, as in the case of rape and sexual

assault, it was seen as bringing out, and enlarging opposition between the sexes nakedly, unlike other forms of gender based oppression, such as lower wages for women. Rape, and the fear of rape therefore was an instrument for terrorising and paralysing *all* women, contributing to a low sense of self worth. The connection drawn between women of different castes and classes is that of the unity of all women's experiences in sexual and physical violence.⁷ Differences between women are acknowledged only to be negated in this understanding of universal female solidarity in suffering violence.

Further, feminists have been criticised for their tendency to relegate some issues to the unexamined, leading to a meaningful silence on some aspects. These include feminist understanding of morality, monogamy and socially coercive heterosexuality. Lesbian rights collectives in India have argued that Indian feminists have been silent on the area of lesbianism in India and that the IWM is homophobic⁸, a label taken seriously by more sensitive feminists. One can sense the nascent, hesitant questioning of 'unconsciously' held ideas in the following statement by Bombay based Forum Against Oppression of Women:

*"It is true that sexuality has a very important place in our lives and so far, we have been taught to only think of heterosexual, preferably monogamous relationships.... Lesbian relationships are perceived by some as an alternative to the destructive violence and power play in heterosexual relationships"*⁹

This statement can be seen in the context of prostitution as much as lesbianism. Through a reluctance to debate non-marital sexual relations, the IWM has been complicit in idealising relationships between heterosexual, monogamous couples, within a marriage or a long-term relationship. Marriage – an area that many middle class feminists have entered into – was thus seen as potentially open to feminist change. Prostitution was perhaps so alien to the experiences of middle class feminists that it was not addressed, in such terms or at all. Here too, we see the centrality of personal experience in feminist activism.

Activists in the women's movement have sometimes accepted marital monogamy as not only acceptable, but as desirable. As the following quote from an activist in India brings out, the

7 Sujata Gothoskar, *Politics of Rape*. Paper Presented at National Conference on Perspectives for Women's Liberation in India.

Bombay. 1 November 1980. On file with Akshara: A Women's Resource Centre. Bombay: 1. (Unpublished) For more details on the issue of feminist mobilisation on rape and other issues, see Geetanjali Gangoli, *Law, Patriarchy and the Feminist Movements in Bombay, 1975-1993*. Ph.D. thesis submitted to the Department of History, University of Delhi. January 1999.

8 Geeti Thadani, quoted in Nivedita Menon, *Destabilizing Feminism*. *Seminar*. 1995: 100.

9 Forum Against Oppression of Women, *Moving.... but not quite there*. Bombay. 1989: 14.

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opposition to legalisation of prostitution is based simultaneously on a rejection of non monogamy as a possibility – both for men and for women – and a celebration of marriage as the only route for sexual satisfaction:

*“From a feminist point of view, the proposal to legalise prostitution is untenable – why should it be assumed that men have certain urges which need an outlet urgently...The socialisation route is the route to take, so that young men are socialised to monogamy and young women are socialised to view sex as a beautiful, natural activity (so that they do not refuse sex to husbands after 2 or 3 children) not the legalisation route.”*¹⁰

My objection to this view is on two counts – one, that it legitimises patriarchal notions of the family and monogamy by using quasi-feminist arguments. Second, it appropriates feminism, speaking on behalf of all feminists. It also restricts sexuality to marital sexuality, allowing no space for women and men outside it to articulate their understanding of sexuality.

Thus, in the 1980s, when the IWM emerged as an important political force, the issue of prostitution remained in the background. Unlike other laws relating to women passed in the 1980s, the Immoral Traffic in Women and Girls (Prevention) Act, 1986 was not created in response to ‘the demands raised by a sustained campaign for legal reforms’.

Where feminists did raise the issue of prostitution, it was in the form of a partial critique of anti-prostitution laws and attitudes as far as they impacted on non prostituted women.

This is demonstrated by the harassment of an activist in a local railway station by the police. The activist was threatened with imprisonment for soliciting while buying cigarettes in a stall on the station at 2:30 a.m. Interestingly, while registering a complaint with the police, she did not reveal that she was buying cigarettes while the police accosted her. The woman’s silence and failure to ‘admit’ this allowed the police to publicise and gain mileage out of it.¹¹

The case cited above brings out some of the ambivalence regarding issues of sexuality as far as Indian feminists are concerned. The case involved notions of chastity – is a woman out at night buying cigarettes a whore? If not, what does it reveal about patriarchal perceptions of female

10 Viji Srinivasan in Sanlaap ed., *Yet Another Right*. A Report on a seminar to discuss different views on ‘legalisation of prostitution’. 1998: 53-54.

11 Flavia Agnes, *State, Gender and the Rhetoric of Law Reform*. RCWS/SNDT. Bombay. 1995: 127-135. The book deals with the legal campaigns of the women’s movement in the 1980s in India, but the chapter on prostitution focuses on the way that the law on

sexuality, and socially defined parameters of public behaviour for women? If she is indeed a whore, does that entitle the police – or any male member of the public - to harass her? It also raised questions of attitudes to public space. In the mainstream male discourse, only men and whores can access the public space, especially at times and places designated as ‘unsafe’. But the right of a whore to access public space is contingent on her being ‘treated as a whore’, i.e. violently and disrespectfully. Activists involved in the case did not explicitly question this duality.

Women’s movement activists have at times taken stands that suggest an internalisation of patriarchal notions of morality. In two separate cases of rape, in which members of an organised left party were implicated, leaders of the party questioned the character of the women who were raped. One case (1990) involved the rape of an activist from Kashtakari Sanghatana - an organisation working with tribals in Dahanu, a suburb of Bombay - by activists from the Kisan Sabha, a rival political organisation. The Kisan Sabha is affiliated to the Communist Party of India (Marxist). Bombay based feminists were anguished to find that women members of the CPIM, with whom they had participated in several joint campaigns, did not condemn the rape. On the contrary, they denied that the rape had taken place. One leader questioned the ‘character’ of the activist, implying further that the police records and the FIR had been manipulated. The women’s wing of the CPIM refused to conduct an independent inquiry, preferring to join in a show of strength with the members of their parties.¹²

In Birati, West Bengal, in the same year, three Bangladeshi refugee women were raped. The state government, ruled by the CPIM, approached the issue as a law and order problem. A senior leader, active in women’s issues, maligned the women in a statement which was carried by the party journal, People’s Democracy:

“A group of anti socials attacked and raped Sabitri Das, Reba Sen and Shanti Sen, the three women who stayed in the unauthorised hutments along the railway tracks.... Although so many women of that area...were involved in foul professions and such

prostitution re-victimises the ‘victim’ and on the use of the anti prostitution law to control the behavior of all women.

12 Forum against Oppression of Women, Moving...op-cit.: 8-9. It is important to point out here that there were and are several strands in the women’s movement in India. Women activists from left parties may not call themselves feminists, but have taken stands that are feminist and have worked with self consciously feminist groups in the country on several campaigns.

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honeymoons of these women with the anti socials were an open secret, that day's events appeared to be a sequel to the rivalry between these anti socials."¹³

That a political party adhering to a communist ideology, one that had taken principled and often progressive stands in the Lok Sabha debates on the rape law amendment, and more generally on violence against women, demonstrates the discomfort that women's movement activists in left parties have felt on some aspects of women's emancipation. As a commentator points out, crimes against women cannot be defended, whether the responsibility of the left, or the right or "else we will be left debating 'reactionary' rapes and 'progressive' rapes".¹⁴

Equally important is that the terms of debate remain that of sexual purity and chastity, not unlike legal interpretations of cases of sexual assault.

Section 155 (4) of the Indian Penal Code, 1872, provides that when a man is prosecuted for rape, the defence can introduce evidence relevant to the 'past sexual history' of the raped woman. It follows that an 'immoral' woman, generically a prostitute, cannot be raped.

In a case of custodial rape, a married woman was raped by a policeman and a resident of her natal village after being threatened that her husband would be arrested if she resisted. The Bombay High Court acquitted the two accused, believing that she had consented because she had not screamed or protested during intercourse and there were no marks on her body. The Supreme Court reversed the judgement on several grounds, an important one being that she was not a prostitute. The Court ruled that:

*"It is not suggested that PW1 (the woman) agreed to sexual intercourse either out of love or money... It is no one's case that PW1 is a prostitute or that she was paid money by the accused."*¹⁵

The campaigns of the IWM around the issue of pornography reveal a parallel unresolved understanding of sexuality. As Flavia Agnes retrospectively points out, the women's groups in the 1980s had mainly agitated against films and advertisements that show women in the nude, or in

13 Shyamali Gupta, General Secretary, Ganatantrik Mahila Samity, cited in Tanika Sarkar, Reflections on Birati Rape Cases. Gender Ideology in Bengal. *Economic and Political Weekly*. Volume 26, Number 5. February 2, 1991: 215-218, esp. 218.

14 Bishwamoy Pati, Women, Rape and the Left. *Economic and Political Weekly*. Volume 26, Number 5. February 2, 1991:219; also see Sarkar, Ibid. : 217.

15 State of Maharashtra V. Prakash and Anr. 1922 Cr. L.J.

sexually suggestive poses. This she holds “reinforced the notion that anything sexual is obscene, and that respect for women is equivalent to treating them as asexual.”¹⁶

The campaign involved the defacing of ‘obscene’ posters, a strategy started by a left wing students organisation in 1979. Their efforts were met with ridicule and hostility. Much worse, they were coopted by rightist forces. In Bombay, women from FAOW retreated in horror when they found that they had been pre-empted by members of the Bajrang Dal, a right wing organisation who had blackened out film posters.¹⁷ Thus, a certain feminist understanding of sexual acceptability corresponded with conservative and right wing notions.

The result of the streak of sexual prudery and reserve and the failure of feminists to take up prostitution frontally is that women in prostitution have been subjected to appalling human rights violations, often ignored by Indian feminists. Commercial sex workers were rescued from some brothels in Mumbai in 1996. The raid violated existing legal provisions. Under PITA, raids by the police are legal only if a child is being held in a brothel, but adult women were detained during the raids too. Many were forcibly repatriated to their cities or countries of origin. However, in Bombay, there was no feminist systematic protest against these violations. A prostitute expressed the opinion that had such a gross violation of rights taken place on any other group of women or workers, women’s organisations and unions would have protested much more vigorously.¹⁸

One could further speculate that the focus of the women’s movement is essentially on ‘innocent victims’.

Section II

Hurt and oppression

Radical feminism draws a connection between pornography and prostitution. According to this perspective, pornography is created through force and coercion in two ways: first, by coercing women to engage in pornographic representations and second, by making sure that the pornographic spectacle is one where the classic male fantasy is enacted. That is, where men are seen to abuse women and women to like it. According to Catharine A MacKinnon, a powerful proponent of this view:

¹⁶ Flavia Agnes, *op-cit.*: 137-8.

¹⁷ Interview with Sandhya Gokhale. Member, Forum Against Oppression of Women, Bombay.

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*“Paying the woman to appear to resist and then surrender does not make the sex consensual; it makes pornography an arm of prostitution. The sex is not chosen for the sex. Money is the medium of force and provides the cover of consent.”*¹⁹

In this analysis, all pornography – in its actual and representational sense – is oppressive, coercive and anti women. As is prostitution. All nuances within pornography and prostitution are flattened, degrees of agency that women may experience are negated. MacKinnon argues that rape and prostitution are part of a continuum where, within rape the security of women’s person is stolen, while within prostitution, it is stolen and sold.²⁰ Within this understanding, women in prostitution who state that they have entered prostitution out of their own will, or that they do not want to leave it, are seen to be suffering from false consciousness. Or, that prostitutes who consider themselves liberated are being duped by patriarchal values, hence they are unable to recognise their oppression.²¹

It has also been argued that not only is there violence within prostitution, but that prostitution itself constitutes violence against women.

Janice Raymond suggests in the context of health effects of sex work:

*“To address the health consequences of prostitution, the international human rights community must understand that prostitution harms women, and in addition to needing health services, women must be provided with the economic, social and psychological means to leave prostitution. Until prostitution is accepted as violence against women and a violation of women’s human rights, the health consequences of prostitution cannot be addressed adequately.”*²²

18 Interview on 24 January 1999. Name withheld on request.

19 Catherine A MacKinnon, *Only Words*. Harvard University Press. Cambridge. Massachusetts. 1993: 28.

20 Catherine A MacKinnon, Prostitution and Civil Rights in D. Kelly Weisberg, *Applications of Feminist Legal Theory to Women’s Lives. Sex, Violence, Work and Reproduction*. Temple University Press. Philadelphia. 1996: 222-236, esp. 222.

21 Laurie Shrage, philosopher, cited in Wendy McElroy, Wendy McElroy, *Prostitutes, Feminists and Economic Associates*. Unpublished paper.

“Because of the cultural context in which prostitution operates, it epitomises and perpetuates patriarchal beliefs and values and therefore is both damaging to the women who sell sex and, as an organised social practice, to all women in our society.”

According to MacKinnon:

Women who are compromised, cajoled, pressured, tricked, blackmailed, or outright forced into sex... often respond to the unspeakable humiliation... by claiming their sexuality as their own. Faced with no alternative, the strategy to acquire self-respect and pride is: I chose it.

See *Only Words*. Op-cit.: 149.

22 Janice G. Raymond, Co-Executive Director, Coalition Against Trafficking in Women, *Health Effects of Prostitution*, 1998.

Available at <http://www.uri.edu/artsci/wms/hughes/catw/health.htm>.

As I note in the preceeding section, since the IWM engages with ‘innocent victims’. Where feminists in India do focus on prostitutes, it is through the entry point of harm, coercion and victimhood. Sanlaap, a Calcutta based NGO working on the prevention of prostitution feels that prostitution involves large-scale violence against women and children. Hence it cannot be seen as work. In a statement brought out recently by Sanlaap, they pose that following a study of child prostitution in Calcutta in 1989, they found that the conditions of child prostitutes was so appalling that prostitution could not be called work under any circumstances.

- “a. When it starts with violence & sexual abuse how can we call it ‘work’?*
b. When power relations are unequal and exploitative how can we call it work?
c. When men and some women earn from selling a child's body, a human being, how can we call it work?
d. An action that violates human rights, how can we call it work?
e. If female genital mutilation has been rejected by women groups, why wouldn't we reject rape of a girl child, which is the basis and beginning of prostitution? How can we call this work?
*f. Purchase and sale of girls, through threats, trickery, deceit and false promises are the ways through which girls and young women are trafficked and forced into prostitution. Do we call it work?”*²³

The report of the National Commission for Women in 10 cities in India documents sexual exploitation of children. It states:

*“The term childhood generally signifies easy living, easy nutrition, love, warmth, support and an overall affectionate environment. But 15% of India's two million prostitutes, believed to be children have a different story to tell. As trafficking and prostitution among children assumes alarming proportions (nearly 200 girls and women in India are either inducted into or enter the trade everyday) we as a nation are confronted with a grim reality which is hard to ignore.”*²⁴

This analysis, in my view, is faulty on many counts. It blurs the distinction between violence and degradation. While violence is a real issue, degradation is a social construct. Even if one agrees with Sanlaap that prostitution is synonymous with degradation of the most extreme form, it can still be seen as work. A lot of ‘legitimate’ work is violent and can be degrading. Besides, by isolating prostitution as an important if not primary site of violence, it ignores violence against

²³ Sanlaap, *Human rights ...op-cit.*

²⁴ National Commission for Women, *The Velvet Blouse. Sexual Exploitation of Children*. New Delhi. 1997.

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women and girl children within the family. The family is, in my opinion, the primary site of physical and sexual abuse of women and girls. Early marriages are a common feature in South Asia. According to a UN report:

*“Studies conducted during 1972-89 in India indicate that mean age at marriage for girls is 12.6 years. In Nepal, nearly 50% of the 15-19 year old girls are married.”*²⁵

Not all child marriages are sexually consummated. However, the customary practice is that child marriages are consummated after the girl child attains puberty, which can take place at thirteen. Early marriages can perhaps be compared in their mental and physical effects to child prostitution, since both involve premature sexual activity causing trauma for the child. More to the point, the Sanlaap position focuses on children within prostitution and extends the analysis to adult women. Prostitution of children is certainly violative of rights as it exposes them to sexual activity when they lack the physical and mental maturity to cope with it. Like other forms of sexual activity involving children – as in incest and child marriage – the issue of consent is irrelevant. By extending this understanding to all prostitutes, Sanlaap conflates women and children and infantilises women.

Sanlaap, however, is not unique in treating prostitutes as helpless. It has been argued that the distinction drawn between free and forced prostitution fits into the agenda of the sex industry, since it will give the industry stability and security and will make it difficult for women to ‘prove’ that they have been coerced into prostitution. Further, that the move by prostitute rights organisations to legalise prostitution and to see it as work is due to western influences, and is unwise given the composition of the sex industry in India. Neelam Gorhe, President of the Stree Adhar Kendra in Pune, Maharashtra states that:

*“But let us not forget that in India, we are not talking of sex workers who have voluntarily opted for prostitution, but of poverty-stricken, kidnapped and battered women who are made to perform for Rs. 15 an encounter. Legalisation will only make the trade immensely convenient and more profitable for the pimps and enable them to expand their operations.”*²⁶

In a similar vein, the Dhaka Declaration from the Coalition Against Trafficking in Women declares that:

²⁵ UN Document, *Women and HIV/AIDS Concerns – a focus on Thailand, Philippines, India and Nepal*. 1998.

²⁶ Cited in Bulbul Pal, *Against Legalisation*. Women’s activists in Pune are strongly opposed to the legalisation of prostitution. *Humanscape*. January 1999: 28-31, esp. 29-30.

“It is the fundamental human right to be free of sexual exploitation in all its forms, and that sex trafficking and prostitution are not inevitable aspects of the human conditions. Prostitution and trafficking are forms of sexual exploitation and can never be considered work as essentially they deprive women and children of their human dignity.”

Further, they recommend that governments reject any policy or law that legitimises sex trafficking or prostitution and legalise it as work. On the question of consent, the group is equally uncompromising, recommending:

“That consent of the women procured for sex trafficking and prostitution not be recognised as a defence for pimps, procurers and buyers, nor as rationale for state-sanctioned institutionalisation of prostitution as work.”²⁷

These perspectives can be critiqued on the following grounds. One, like the Sanlaap position, it infantilises women in prostitution. Second, it denies women agency, preferring to see them as undifferentiated and permanent victims. Finally, it draws an artificial and forced distinction between the east and the west. The west is projected as immoral, a geographical entity where women enter prostitution voluntarily. In contrast, the east – represented by India – is a space where women give up their ‘honour’ reluctantly, if at all. Efforts to ‘prevent’ prostitution thus stems from a belief that women within the profession are uniformly oppressed and hence need to be rescued from their situation.²⁸

In most readings, the issue of choice within prostitution is not even dignified with a debate on the issue. On the contrary, there is a complete silence on the issue, thus marginalising women whose experiences do not fit into the saga of kidnapping, suffering and coercion. The Sanlaap rhetoric homogenises women and girls, neglecting to bring in to their analysis any understanding of how cultural contexts; class and caste may play a role in trafficking. Poverty is seen in somewhat homogenised terms – as in Gorhe’s analysis.²⁹

The discourse is around poor helpless women-and-girls that have no choice, no agency all through their lives.

²⁷ *The Dhaka Declaration*. Passed at Organising Against Sexual Exploitation in the Asian Region by the Coalition Against Trafficking in Women. June 26-29th, 1998.

²⁸ Organisations such as Sanlaap and the Delhi based Bhartiya Patita Udhar Samiti have an agenda of ‘feminist social work’ – that seeks to prevent second generation prostitution. Chaya Guha Bhuvaneshwar, *Kannagi's Daughters: HIV/AIDS Prevention for Indian Women*. Issue1 .re/productions. <http://www.hsph.harvard.edu/Organisations/healthnet/ASia/repro/aids.html>.

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The analysis flattens reality and the diverse ways in which women live their lives. Choice is relative. Some women have no or little choice, others have more agency. Age, caste, class, marital status are variables that affect women's control over their lives. A woman who comes into red light areas in Bombay or Calcutta from remote areas after a broken marriage has surely a different trajectory than a younger child sold in to prostitution by her family. However, adult women do display agency in their lives, whether they enter prostitution or not. My field work reveals that among sex workers in Calcutta, some belong to upper caste families in Uttar Pradesh or Bihar, who come to Calcutta after being widowed and being deserted by their natal and marital families. The widow is seen as belonging to no man, so her natal and marital families abandon her.³⁰ However, not all widowed women deserted by their families take to prostitution. One can suggest that those who do make a clear choice in favour of prostitution over the options of destitution, begging and badly paid informal work.

There is an opposition to legalisation on another ground. At the time of writing, there is an informal but fairly rigid system of zoning: prostitution is confined mostly to 'red-light' areas. Activists fear that once prostitution is legalised, they will move out to settle in different parts of the city, so that NGOs working with them will no longer have convenient access to them to work on STD-HIV prevention.³¹ Here, the debate is constructed almost in terms of 'owning' the women in prostitution, who are the recipients of NGO activism. Sex workers are treated as a homogenised whole, who need to be kept in a restricted area so that they are open to the well meaning efforts of activists. Prostitutes' rights groups have rightly objected to such efforts to restrict their mobility.³² Zoning women in prostitution means that they are vulnerable to health surveys that focus on STDs and HIV status. Since few surveys are carried out among non-prostitutes – including male clients – the image of the dangerously diseased prostitute is reinforced.³³

29 Bulbul Pal, *Against Legalisation. Op-cit.*

30 Interestingly, the word 'rand' in Hindi is used interchangeably for widow and prostitutes. *Report of a Conceptual Clarity Workshop.* Organised by Prerana in Khandala. 20th March – 2nd April 1999.

31 *Ibid.*

32 International Committee for Prostitutes' Rights, *World Charter For Prostitutes' Rights*. Amsterdam 1985. The charter states that: "There should be no law which implies systematic zoning of prostitution. Prostitutes should have the freedom to choose their place of work and residence. It is essential that prostitutes can provide their services under the conditions that are absolutely determined by themselves and no one else. "

Available at:

<http://www.bayswan.org/ICPRChart.html>.

33 Indrani Sinha and Carolyn Sleightholme, *Guilty Without Trial. Women in the Sex Trade in Calcutta*. Stree. Calcutta. 1996: 81.

Activists wanting to preserve zoning in its current form therefore stand in opposition to some of the perceived needs of sex workers.

The feminist perspective of victimising women in prostitution is echoed in, and influences public policy. While debating the Illegal Traffic in Women and Girls (Prevention) Bill in 1986 in the Lok Sabha, a combination of feminist and traditionalist arguments were used. The advocacy of women's groups was a major plank. Smt. Margaret Alva, MP who introduced the bill said:

*"The exploitation of women and girls for the purposes of prostitution is an obnoxious feature of crime against them...though prostitution has persisted since time immemorial, it has all through been considered an evil that wrecks the foundations of the family and the community, as basic units of human society...The most disturbing aspect today is the organised racketeering in the sexual abuse of innocent children and young persons in the trade...A number of individuals, advocacy groups and women's and voluntary organisations...have been urging upon the government to enlarge the scope of the Act."*³⁴

Alva speaks with remarkable ease of prostitution as violence against women in the same breath as she considers it to be an evil against the family, romanticised as the basic unit of society. There seems a partial assimilation of feminist understanding of prostitution as violence against women. But Alva goes on to suggest that prostitution wrecks the family, ignoring some trenchant feminist critiques of the family. I would argue that this is not a deliberate oversight or a misunderstanding. **Feminist analysis that prostitution is violence – and that women in prostitution are victims – can feed in as easily into a mainstream understanding that does not accept the family as another important site of oppression.**

While feminists have sometimes recognised the complicity of the natal and marital family in the entry of women into prostitution, they do not always recognise that women in prostitution have continuing links with their families. My field experience demonstrates the connections between women in prostitution and their families. In a workshop held in Khandala in 1999, participants spoke of their experiences when entering the trade.³⁵ Thus prostitution can be seen not in opposition to the family, but as an inversion of patriarchal values where the natal family supports the daughter, initially as an unmarried daughter; later through dowry. The social acceptance of

³⁴ Lok Sabha Debates. 22.8. 1986. Smt Margaret Alva: 140-141.

³⁵ Conceptual clarity workshop. **op-cit**.

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this arrangement ignores the role of single women in the family in supporting the family through their labour.

As noted above, feminists have taken up the issue of violence against women in the family. However, Indian feminists have not fundamentally challenged the marital or natal family itself as a unit. In other words, feminist intervention has aimed at empowering married women, not at abolishing or preventing marriage, even though there is recognition that marriage is a potential and real site for violence for women. I submit that this understanding can be usefully extended to women in prostitution. A failure to do so has only led to the co-option of feminist intervention by the state and official policy in strange and misogynist ways.

Section III

Prostitution as choice and identity

Some feminists in the west have argued that radical feminist analysis of prostitution as a story of unmitigated oppression and patriarchal violence is incomplete and inherently flawed. Representatives of prostitute rights groups accuse anti prostitution feminists of being condescending and patronising:

“They find it necessary to interpret prostitutes experiences of their lives and then feed it back to the prostitutes to tell them what’s really happening.”³⁶

Prostitute rights groups in India have similarly challenged feminist silence or indifference on this issue.

III. a. Voices of women in prostitution

Women in prostitution – when they organise – have used the tactics of mobilisation and protest differently from feminists. To illustrate: in 1996, hundreds of sex workers in Falkland Road in Bombay organised to demand their right to vote in the 1996 elections. For most middle class feminists, the right to vote has not been an issue for debate or mobilisation. It is perhaps seen as given. In general, Indian feminists have a somewhat ambivalent position towards electoral politics, seen as murky and male dominated. In contrast, sex workers believe that “not having the right to vote, and thus to exert leverage on local leaders, prevents sex workers from contesting

36 Cited in Wendy McElroy, *op-cit.* Other prostitutes have accused feminists of having an implicit moral agenda. Peggy Miller of CORP (Canadian Organisation for the Rights of Prostitutes) said about feminists: “You are a bunch of fucking Madonnas!”

police and underworld exploitation, which includes rape and extortion from political bosses.”³⁷ It is this understanding that led a sex worker from the Bhartiya Patita Udhar Samiti to stand for the Lok Sabha elections in 1991.³⁸ Women in prostitution have articulated anger at social assumptions that denigrate them in language.

Prostitute rights groups in the west have argued against the notion that prostitution cannot be voluntary in a racist, sexist, capitalist, patriarchal social field. They do not claim that prostitution is a free choice; they claim that it is as free a choice as other choices made in a capitalist, patriarchal, racist system.³⁹ In India, the Sex Workers’ Manifesto released in 1997 in Calcutta has made a similar claim.

*“Women take up prostitution for the same reason as they might take up any other livelihood option available to them. Our stories are not fundamentally different from the labourer from Bihar who pulls a rickshaw in Calcutta or the worker from Calcutta who works part time in a factory in Bombay.”*⁴⁰

On the issue of choice, they argue:

*“But when do most of us women have access to choice within or outside the family? Do we become casual domestic labourers willingly? Do we have a choice about who we want to marry and when? The choice is rarely real for most women, particularly poor women.”*⁴¹

Sex-workers believe that prostitution contributes to national income, and that the state should recognise it as such:

*“Our contribution should be included in the GNP statistics for wage labour. Like the woman in the field, or in the construction site, we work hard.”*⁴²

There are therefore, articulations of anger and hostility against mainstream perceptions of prostitution.

Women in prostitution have rightly accused feminists of homogenising prostitutes, and not seeing them in their multiple role as mothers, wives, daughters and lovers.

A Sanghli based sex-worker has this to say about the names that women in the trade are called by:

37 Guha-Bhuvaneswar, *op-cit.*

38 Interview with Khairati Ram Bhola, Bhartiya Patita Udhar Samiti. 29 August 1998. New Delhi.

39 Shanon Bell, *op-cit.*: 110 –111.

40 Sex Workers’ Manifesto, *op-cit.*

41 *Ibid.*

42 Prerana, *op-cit.*

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“Do you know the names they have for us? Dhandewali, randi, veshya. We aren’t human beings....we are gande log.”⁴³

The colloquial terms for sex-workers – *randi* or *veshya* are generic terms of abuse for transgressive women, both within and outside marriage. However, as the following excerpt brings out, women in the profession have an understanding of their bodies and work, and a critique of marriage.

“What are these women (married women) anyway? They don’t know half as much as we do. They are like the field of one man. My body is my own field, from where I can make my own living.”⁴⁴

Sex workers, therefore see marriage in two ways. On the one hand, they recognise that married life has some benefits – such as social respectability, stability and security – that are not available to sex-workers. On the other, that as sex-workers, they have some advantages over married women.

A section of women in prostitution often have a disdainful attitude towards ‘married women’ seeing them as being exploited and victims of their husband’s will.⁴⁵ Not all women in the profession therefore see themselves as victims, on the contrary, they see themselves as independent women who can handle the various challenges that life throws at them. Married women are victimised in this discourse:

“The man gets free labour in the house from his wife. He also gets dowry, and children to carry his name.”

“Prostitutes can refuse to sleep with a man if they don’t want to, a wife can’t.”⁴⁶

There is, therefore, an interesting inversion of the victimisation that prostitutes are subjected to. Just as some feminists homogenise all sex work as oppressive, some sex workers have a critique of marriage that may seem as unrecognisable to some women in marriage as feminist critiques of prostitution seem to some sex workers.

⁴³ Pamela Phillipose, ‘Do You Know the Names They Have for Us? We aren’t Human Beings.’ *Indian Express*, 3. 4. 1999

⁴⁴ *Ibid.*

⁴⁵ Meena Seshu, Verbal Presentation. *Forbidden Pleasures/Prohibited Desires: The Intersections between Speech, Sex and Culture*. Khajuraho. 22-26 January 1999. Organised by Centre for Feminist Legal Research. Women in prostitution call housewives ‘ghar-wali-bai’ or housebound women. Gharwalis, interestingly enough is the colloquial term for brothel owners.

⁴⁶ Conceptual clarity workshop. Khandala. *Op-cit.*

It may be tentatively put forth that stereotyping married women as oppressed and dependent may well be a way to see them as the 'other'. Since sex-workers lack the social power to 'mainstream' their views, they seem to fall within the category of the 'unusual' or the 'unacceptable'. Stereotyping sex workers as sexually promiscuous and immoral, however is totally acceptable and part of the 'common sense' of social life.

Women enter prostitution for social and economic reasons – it is ultimately a survival strategy, just as male migration and entry into other industries or marriage can be. Coercion could happen in all these areas, and in a third world context of poverty and deprivation, most people, especially the poor, have few choices available to them – whether they choose marriage, domestic labour, construction work or sex work.

Some women in the trade express pride in their ability to work and provide for themselves and their families. They also talk about the freedom that they experience while doing sex-work. The following extract from my field-notes brings out these different strands:

*"It's not an easy job. I get angry when I hear people say, you just lie on your back and make money. But it's not as if we cry daily either. I send money to my family, look after my child and don't have to put up with anyone's nonsense...it's fun sitting with other women and talking about the men who visit us. I can't imagine how I would survive if I went back home."*⁴⁷

Many sex-workers see their work as being as important and worthy of respect as other professions. They draw parallels between sex-work and other professions.

"Nurses are given respect because they serve the ill. We too look after men, and work hard. But we are stigmatised."

"Film actresses get a lot of money for exposing themselves. No one likes to spend much money on us."

*"Social workers have their own house, their families and their children are proud of them. We serve society too. But our children feel ashamed to say that they are children of prostitutes."*⁴⁸

They pointed out, moreover, that even where working women sleep with their bosses for job security or promotions, as can happen in any profession, they are not stigmatised. So the issue is not about selling sex, but of publicly visible sexuality.

⁴⁷ Interview with Shobha, member of BMC-HIV Cell on 22nd August 1998, Bombay.

⁴⁸ Khandala, *op-cit*.

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The 1997 sex workers' manifesto argues that 'rehabilitation' is not desirable for two reasons. One, given the existing socio-economic situation, the large number of men and women in the profession cannot be easily integrated into other professions. Second, that sex workers, like workers in other professions, have the right to demand improvement in their working conditions while staying within it. Parallels can be drawn between these demands – and similar demands by workers who argue against the closure of factories on one pretext or another. The difference is that with factory workers, their right to work and livelihood is only partially affected – and only in the context of that particular factory. It is not argued – as with women in prostitution – that they have no inherent right to work, or that their choice of livelihood is not work, but oppression or an immoral act.⁴⁹

Clearly women in the sex-trade are not concerned with whether to see prostitution as work or not. They experience what they do as work that may be stigmatised and difficult.

III. b. DMSC and VAMPS – prostitute rights groups

At this point, it is important to look at the genesis and organisation of DMSC and VAMPS. These organisations have played an important role in organising sex workers – i.e., Groups like these differ from NGOs that focus on rehabilitation and 'prevention' of prostitution.

DMSC emerged from the study conducted by WHO and Dr. Smarajit Jana, a public health specialist in 1991, on the incidence of HIV among commercial sex workers in Calcutta. After the study was conducted, Dr. Jana, who had involved women from the red-light areas in Calcutta, realised that even to achieve the basic objective of preventing STDs among sex workers, there was a need to focus on women in the profession in a broader manner, and to see them as human beings with 'a range of emotional and material needs, living within a concrete and specific social, political and ideological context...'⁵⁰

The effort to organise sex workers therefore grew from the original urge to prevent STDs among them. The DMSC has grown into a forum representing male and female sex workers and has a

49 For instance, the protests against forcible closure of factories following a Delhi High Court judgement on the grounds of environmental pollution caused by the factories in 1996. A worker's rights organisation – Jan Adhikar Nagrik Manch – argued that workers had been discriminated against.

50 Manifesto...*op-cit*. This paragraph is also based on my interview with Dr. Samarajit Jana in Calcutta. 16 September 1998.

critique of mainstream approaches to sex work. On the issue of prostitution and work, it holds that:

“We believe that like any other occupation, sex-work too is an occupation and not a moral condition. If it is one of the ‘oldest’ profession in the world, that is because it must have continued to meet an important and consistent social demand. But the word ‘prostitute’ is rarely used to refer to an occupational group of women who earn their livelihood through providing sexual services, rather it is deployed as a descriptive term denoting a homogenised category, usually of women, which poses threats to public health, social stability and public order...If and when we figure in political or developmental agenda, we are enmeshed in discursive practices and practical projects which aim to rescue, rehabilitate, improve, discipline, control or police us.”⁵¹

In addition the DMSC draws a parallel between marriage and prostitution, and at issues of choice and coercion.

“If two persons love each other, want to be together, want to raise children together, relate to the social world, it can be a happy, egalitarian, democratic arrangement. But does this really happen like that among within families we see, between families we see, between couples we know? Do not we know of many, many families where there is no love, but relations are based on inequality and oppression? Do not many legal wives virtually live the life of sex slaves in exchange for food and shelter? ...Is this situation desirable? Is it healthy?”⁵²

In a conference in Calcutta in 1999 organised by the Durbar Mahila Samanwaya Committee, a resolution was passed that sex work be treated as any other occupation, that sex work be decriminalised, that self regulatory boards be set up, and that human rights and civil liberties of women in prostitution be recognised. The Committee argues for legalisation of prostitution in no uncertain terms, stating that legalisation would give women in the profession dignity and a chance to have their voice heard.⁵³

⁵¹ Manifesto. *Ibid.*

⁵² *Ibid.*

⁵³ Meena Menon, ‘Legalisation will give us dignity.’ *Humanscape*. January 1999: 28-29.

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The manifesto points out that moralism allows a great deal of oppression to be perpetuated against women in the profession. As the manifesto states:

“People who are interested in our welfare, and we acknowledge many are genuinely concerned, often can not think beyond rehabilitating us or abolishing prostitution altogether. However, we know that in reality, it is perhaps impossible to rehabilitate a sex worker because the society never allows us to erase out identity as prostitutes, as morally violated and threatening. Then, is rehabilitation a feasible, or even desirable option for us? In a country where unemployment is of such gigantic proportions, where does the compulsion of displacing millions of women and men who are already engaged in an income earning occupation which supports themselves and their extended families come from? If other workers in similarly exploitative occupations can work within the structures of their profession to improve their working conditions, why can not we, sex workers, remain in the sex industry and demand a better deal in our work and lives?”⁵⁴

This view of sex work challenges the victim mentality implicit within mainstream feminist perceptions. Significantly, however, the DMSC finds it necessary to reiterate that they are not inherently against the family, or men.⁵⁵ I submit that rather than seeing it as an ‘anti – feminist’ view, the failure to make an uncompromising critique of the institution of the family owes much to the high degree of emotional investment that sex workers have in the family. Also, to the failure of mainstream feminist ideology that has neglected to draw theoretical links between their critique of the family and of prostitution.

Similarly, within the DMSC manifesto, there is no inherent critique of the idea that male sexual desires should be pandered to. Simultaneously, it unpacks the category ‘man’ in a somewhat nuanced manner:

“It is important to remember that there is no uniform category as men. Men, like women, are differentiated by their class, caste, race and other social relations. For many men, adherence to the dominant social norm is not only impractical but also unreal.”

The manifesto offers a critique of the paucity of options available both to men and to women within the social structures. **It sees, however, sex workers as fulfilling an important social need, that is, providing sexual services to men.** This view can perhaps feed in to the perception

⁵⁴ Manifesto. *Op-cit.*

⁵⁵ *Ibid.*

that prostitution is a 'necessary evil'. The DMSC position may serve as a rationale for prostitution, but prevents a deeper understanding of prostitution – and marriage – as feeding into patriarchy.

The view that prostitutes play an important social role is expressed by the Bombay based Asahaya Tirskrut Nari Sangh. The representative, I H Gilhada holds that prostitution is a necessary evil that preserves the family and prevents rape of women. Similarly, Khairati Ram Bhola opines:

*"If prostitutes are unhealthy, they will infect our children, the young boys who go to them for gratification. All men feel hungry – for sex. Prostitutes prevent women from good families from getting raped. If prostitutes were not there, women would not be able to walk on the road. Unmarried young men would attack any woman on the road. In fact in my opinion, prostitutes are next only to mothers and should be treated with respect."*⁵⁶

There appears to be a continuum between the point of view held by DMSC, Bhola and a certain official perception. The statement by an official in the British army posted in India in the late nineteenth century reads:

*"The absence of prostitutes in cantonments where large numbers of young, unmarried soldiers are living would probably lead to offences such as criminal assault, rape and unnatural crime."*⁵⁷

The following excerpt from an interview with a police inspector in Kamathipura in 1995 echoes this sentiment. Mr. V G Wagh's opinion is:

*"According to me, prostitutes are social workers-- if it was not for them, women from good families (sic) would not be able to walk on the streets of Bombay. Men would attack women if there were no prostitutes, as they need a vent for their lust (sic). Women from good families look down upon prostitutes, but many prostitutes play a role in preserving their marriages. Men would attack their wives and even daughters if prostitutes were not allowed to ply their trade."*⁵⁸

56 Interview with Khairati Ram Bhola, President, Bhartiya Patita Udhar Samiti, 29th August 1998. Bhartiya Patita Udhar Samiti is a Delhi based NGO that works towards legalising prostitution.

57 Cited in Kenneth Ballhatchet, *Race, Sex and Class Under the Raj. Imperial Attitudes and Policies and their Critics. 1793-1908*. Weidenfeld and Nicholson. London. 1980: 79.

58 Interview with Police Inspector V G Wagh, Nagpada Police Station on 5 November 1995.

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The views expressed above buy into patriarchal notions of male uncontrolled and uncontrollable sexuality. However, when expressed by prostitute rights groups, it may be useful to see them in another light. I suggest that prostitute rights groups like the DMSC and the BPUS ‘use’ the rhetoric of men’s uncontrollable sexual urges to create a space for women in prostitution. Thus, a flat feminist analysis of this may not be useful. There is both resistance – to a patriarchal notion that prostitutes are socially redundant and immoral – and compliance – to another patriarchal notion that men’s sexual needs are paramount. From the point of view of women in prostitution, this belief can contribute a feeling that they play an important social role. This can be of some importance to a category of women who have been marginalised socially and politically.

Radical and liberal feminists – who have so far rightfully objected to these stereotypes about men and male sexuality – might benefit from attempting to expand sexual spaces for men and for women – rather than to restrict them for men. Here I refer to efforts by feminists in India to restrict access of pornography and to perceptions that male clients – rather than women prostitutes need to be controlled. As sex workers have pointed out, controlling or restricting clients affects women in prostitution adversely.⁵⁹ It also leads to efforts at transferring stigma from women in prostitution to male clients, rather than removing the stigma all together.

Organisations like the DMSC, play a unique role in empowering women in prostitution. Sex workers in the organisation point out that the DMSC has helped them see their trade as something they need not be ashamed of.

*“The police is not as harsh with us now as they used to be since the committee has started working here. The mohalla boys used to beat us if we didn’t pay a donation during the festivals. They used to extort money from the customers too. That has stopped too. If we unite under the DMSC, there are no limits to what we can achieve. We haven’t done anything shameful or wrong. Why should people look down upon us?”*⁶⁰

Members of the organisation assert their identity as sex workers – they use the Bengali term ‘Jouno Kormi’ i.e. sex workers to describe themselves, not only in daily parlance, but also for official purposes. While forming the Usha Committee, a co-operative that gives credit and offers training, they registered themselves with the state government as sex workers, not as

⁵⁹ Interviews with sex workers in Calcutta in September 1998.

⁶⁰ Interview with Rekha Lamba, sex worker in Calcutta of Nepalese origin. 27th September 1998.

‘housewives’ as advised by the officials. As with other marginalised groups such as homosexuals and blacks taking on negatively charged epithets, the act of stating their identity as sex workers is an articulation of their assertion to be recognised as sex workers.⁶¹

VAMPS makes a fundamental critique not only of the issues taken up by Indian feminists, but the manner in which they have been understood. It argues that feminist campaigns on violence against women have been focused on married women, or women within the formal structure of the family. This is borne out by an analysis of feminist activism in the 1970s and 1980s. The entry point into the issue of violence has been through the experiences of married women. A campaign in the 1980s on the issue of domestic violence concentrated on the harm done to women within marriage by their husbands and parents in law. In response, the state passed a law that criminalised domestic violence, defining it as mental and physical violence against married women. A wide range of women’s experiences of violence within the home was not addressed, including violence against single women and children in their natal or marital home. These would include the experiences of child sexual abuse within the family and sexual and physical violence experienced by unmarried or divorced daughters or widowed daughters-in-law.⁶²

Representatives of VAMPS argue that feminists have not addressed the issue of violence against prostitutes, whether physical or sexual. They suggest that women in prostitution have evolved strategies to deal with violence, whether in their work situation or as married women. These include the use of verbal abuse and rallying around an abused woman. It has been suggested that these strategies work because men do not expect women to fight back, or to support each other as it is unlike the way that women in their families react to violence. In other words, neglecting to enter the world of prostitution has meant a loss for feminists in terms of effective strategy.

Conclusions

Prostitute rights groups are important not only in what they say – and they say very important things – but in that they articulate positions that are based on their experience. What are at stake

⁶¹ For instance, blacks calling themselves ‘niggers’ and lesbians ‘dykes’ as a political assertion. There is an interesting analysis of one woman’s assertion as a sex worker in Sheila Marie Thomas *Speaking the Unspeakable: Annie Sprinkle's "Prostitute Performances"*. M.A thesis. Department of Theatre. University of Colorado.

⁶² Geetanjali Gangoli, *Law, Patriarchy...op-cit*. Chapter VI, Section 498 A, Indian Penal Code: The campaign against domestic violence.

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here are the articulations of prostitutes experience and the creation of identities that challenge feminist hegemonic constructions of their lives.

Critics have held that in the Indian context, prostitute rights groups – such as DSMC and VAMPS – are dependent on funding from international sources. While this may not be suspect in itself – especially given that this is a trend affecting much of mainstream feminisms – it could lead to redefining prostitutes rights through the prism of the needs or dictates of funders. This acquires another dimension when one considers that international funders focus on prostitution from the point of view of preventing HIV and STDs, in other words, as vectors of infection.

This is indeed partially valid. However, the dictates of international funding may affect activists only to the extent that they are allowed to. As I point out earlier, many women's organisations, human rights organisations and NGOs in India are dependent on foreign funding for their day to day activities. However, they manage to raise important issues and to critique funding agencies and the state while being somewhat dependent on both. There seems no reason to believe that prostitute rights groups are any different. DCMC and VAMPS, for instance, do work on preventing and combating AIDS, but simultaneously raise fundamental questions about the structure of the sex industry and the Indian State. Even where organisations start with the narrower agenda of AIDS prevention, there is soon a recognition that women in prostitution may not respond to their interventions unless the issues important to them are tackled. Women in prostitution are not just helpless receptacles of activism. They define agendas as much as they are subjected to them.

There have been – in recent times – critiques from within the mainstream feminist movements in India that have tried to examine the issue of prostitution not as harm or coercion, but according to the multiple positions held by women in prostitution. A critique of prostitution laws by Delhi based CFLR states in the introduction:

“We review the existing laws on sex work, and explore the limitations with regard to its (sic) implementation. On the basis of these insights, CFLR is proposing legal reforms that are committed to the empowerment of women in sex work based on human rights standards. Feminists and sex workers rights groups have frequently found themselves acting in opposition to each other. This memorandum is one effort in bridging the gap by consolidating and integrating

the experiences of the women's movement with law in India as well as the experiences and needs of the sex workers rights movement."⁶³

A similar effort to look at the stereotypes that make up research on prostitution was made during a workshop on trafficking in South Asia organised by a Delhi based feminist group, Jagori and GAATW in 1998. Participants of the workshop – members of feminist groups from Bangladesh, Nepal and Sri Lanka – addressed patriarchal constructions of femininity and the extent to which they were imbibed even by feminists. As the workshop report puts it:

*"One cannot construct a 'bad woman' without constructing a 'good woman'. This basic construction of women in terms of binary oppositions... excludes possibilities of grey...Solidarity amongst women also gets split because good women and bad women are pitted against each other...These constructions are also the basis of concepts of 'rehabilitation'. We also need to explore our own biases within the framework and question the divide between us and them, between good women and bad women."*⁶⁴

(Emphasis added)

While the analysis in the passage quoted above may not be new – what is significant here is that the report makes a case for confronting the divide within 'good' and 'bad' women and looking at the extent to which feminists and activists themselves have internalised these concepts.

Feminists in India – and elsewhere – have had to confront challenges not only from the state, but also from women who identify themselves as working against aspects of patriarchy, but rejecting the hegemonistic claims of women's organisations. These enrich and give a deeper hue to feminist politics.

⁶³ Centre for Feminist Legal Research, *Memorandum on Reform of Laws Relating to Prostitution in India*. January 1999:1.

⁶⁴ Manjima Bhattacharya, *Trafficking in South Asia. A Conceptual Clarity Workshop*. 26th July – 1st August 1998. Anandgram. New Delhi. Jagori.

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Glossary

Asahaya Tirskrut Nari Sangh: The Organisation for the Welfare of Helpless Women.

Bhartiya Patita Udhar Samiti: Indian Organisation to Rescue and Rehabilitate Fallen Women.

Dhandewali: literally businesswoman, used generically for describing a whore or a whore-like woman.

Gande log: Dirty people.

Jouno Kormi: Sex Worker.

Kisan Sabha: Organisation of Farmers.

Lok Sabha: House of Parliament.

Rand: Widow

Randi: Prostitute.

Smt.: Short for Shrimati, that is, Mrs.

Stree Adhar Kendra: Centre for Women's Progress.

Veshya AIDS Mukabla Parishad, Sanghli: The Organisation of Prostitutes to Combat AIDS, Sanghli.

Veshya: Prostitute.

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